

Classification Appeals Adjudication Section

Reference Guide 401

Common Classification Issues with the Termination of the Performance Management and Recognition System (PMRS)

Questions and Answers on Implementing Public Law 103-89, The PMRS

Termination Act of 1993. On September 30, 1993, Public Law 103-89, The Performance Management and Recognition System Termination Act of 1993, was enacted. The law terminated the Performance Management and Recognition System (PMRS) effective November 1, 1993. The termination of coverage continues to generate questions that cross personnel functional specialty areas and more recently, the Classification Appeals Adjudication Section has received questions concerning P.L. 103-89 and classification considerations.

In a memorandum dated October 4, 1993, the Interagency Advisory Group (IAG), Office of Personnel Management (OPM), provided a detailed discussion of P.L. 103-89. The 15-page memorandum includes an attachment of questions and answers on implementing P.L. 103-89. DoD has not supplemented the OPM guidance. The following classification related questions and answers were extracted from the IAG memorandum:

Q. Who is covered by the provisions of the PMRS Termination Act of 1993 (P.L. 103-89) as of November 1, 1993?

A. Any employee who encumbers a PMRS position on October 31, 1993, is covered by the provisions of P.L.103-89.

Q. When does an employee lose coverage under P.L. 103-89?

A. After October 31, 1993, an employee remains covered by P.L. 103-89 so long as he or she continues to occupy any grade 13, 14, or 15 supervisory or management official position, as defined by 5 U.S.C. 7103(a)(10) and (11), which is the same grade of the General Schedule, and in the same agency, as the position which the employee occupied on October 31, 1993; i.e.:

- does not get reassigned to a non-supervisor or non-management official position at the same grade in the same agency
- does not have a break in service of more than 3 days
- does not transfer to another agency
- does not get promoted or otherwise changed to a higher grade, and
- does not get demoted or otherwise changed to a lower grade

Q. After October 31, 1993, what happens to positions that were considered "GM" or "PMRS" positions?

A. P.L. 103-89 covers employees rather than positions. Therefore, after October 31, 1993, all positions in grades 13, 14, and 15 that are considered supervisory or management official positions under paragraphs (10) and (11) of 5 U.S.C. 7103(a) will be GS positions. If one of those positions is occupied by an employee who is covered by P.L. 103-89, the agency, at its discretion, may choose to label the position a "GM" position to indicate the status of the person encumbering it.

Q. Will unencumbered PMRS positions convert to GS after October 31, 1993?

A. Yes. Unencumbered will be considered GS positions. The question of whether they are supervisor or management official positions is a separate, labor relations issue.

Q. How do we post PMRS positions that we do not expect to fill until after November 1, 1993?

A. Since all PMRS positions revert to GS as of November 1, 1993, you should post such positions as GS.

Q. Must position descriptions for PMRS employees be changed after November 1, 1993?

A. No. There is no particular requirement to change a position description, especially so long as it is encumbered by an employee covered by P.L.103-89. "GM" need not be changed to "GS."

Q. After October 31, 1993, will all subsequent SF 50 actions still carry the GM pay plan code for employees covered by P.L. 103-89?

A. Yes, so long as P.L. 103-89 coverage is not terminated by one of the actions listed in Decision Rule #2 (see question 2 above), all SF-50 actions should use the GM pay plan code.

Summary: After November 1, 1993, all positions covered by PMRS became General Schedule. However, positions encumbered by employees covered by the PMRS Termination Act will continue to be designated GM. Thus, the GM designation is carried by the person and determines the position designation. Employees will lose their GM designation when they meet any of the five criteria referred to in Question #2.

Activities wanting a copy of the October 4, 1993 OPM memorandum may call the Classification Branch at (703) 696-6301 or DSN 226-6301 to request a mailing of the 15 page document.

Prepared: October 28, 1994 by the Classification Branch and updated July 3, 2000, by the Classification Appeals Adjudication Section.

For Additional Information on PMRS Call: Office of Personnel Management, Performance Management and Incentive Awards Division, Office of Labor Relations and Workforce Performance, Personnel Systems and Oversight Group, (202) 606-2720

Office of Personnel Management, Office of Workforce Performance, Personnel Systems, and Oversight Group, (202) 606-1453

For Additional Information on Classification Issues and PMRS Call: Field Advisory Services, Classification Appeals Adjudication Section (703) 696-6301.

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